TL4589

**Yayasan HAK**
**(Hukum, hak Asasi dan Keadilan)**
**Jl. Gov. Serpa Rosa No T-095 tel. 313323; fax 313324**
**Dili, East Timor**

translation

PRESS RELEASE

No 01/SP.YH/I/99

**Increase in Acts of Violence in early 1999**

In November 1998, 11 East Timorese were killed and 831 displaced in the sub-regency of Alas, Manufahi regency, due to acts of terror, intimidation, detainment, torture, and arson perpetrated by the Indonesian military (ABRI). Not yet recovered from these traumatic events, the people of East Timor must again face a series of violent acts which have occurred in many areas in East Timor since the beginning of 1999.

Based on human rights monitoring and complaints filed by victims in the last two months (December 1998 - January 1999) alone, Yayasan HAK has verified 21 deaths from extra-judicial executions, 17 detained and tortured, and 6 forced disappearances. 7,608 refugees have been forced to leave their homes to seek safety from terror, intimidation, destruction and arson.

Looking at these latest developments, HAK must conclude that human rights violations are on the rise in East Timor. Reformation in Jakarta has led to widespread demands for referendum, driving those upholding the status quo to desperate measures. Pro-autonomy/ pro-integration factions have used unfair means, namely violence against innocent villagers and supporters of referendum, to protect their political interests.

Based on data gathered by HAK, perpetrators of human rights violations are not only the military (ABRI), but increasingly civilians armed by ABRI. In Ainaro, the actors of violence are a civilian group called MAHIDIN (Mati Hidup Demi Integrasi; literally, "life or death for integration"), under the command of one Cancio Carvalho. This group was responsible for the shooting of a number of young men in Ainaro, on January 21, 1999; they were also main actors in the detainment, torture, arson of people's homes in villages in the sub-regency of Hatudo, regency of Ainarao, and sub-regency of Zumalai, regency of Covalima, on January 25, 1999. In this last incident, a pregnant woman was brutally murdered. In Maubara, Liquica regency, a group of armed young men, assisted by soldiers from BTT 143, attacked a number of villages. There has been a concerted effort to engineer the Timorization of this war. Evidence clearly points to the fact that ABRI have armed civilian groups in East Timor. In short, providing a license for East Timorese to kill each other which will inevitably lead to the victimization of the innocent.

Due process of law has been subordinated by political interest to uphold the status quo. The shooting in Ainaro on January 3, 1999, can be traced to a brawl which occurred in October 1998 which was not adequately processed by agents of the law. Furthermore, the arming of civilian groups is clearly against the law (Emergency Law no 12/1951). Those carrying arms have not been sanctioned, in fact acts of violence and human rights violations by these groups have been tolerated. The lack of legal sanction is in contempt of Indonesian law in East Timor. This situation gives rise to suspicion on who are behind these acts of provocation. The statement of East Timor governor, Abilio Jose Osorio Soares (Suara Timor Timur, 25 January 1999), which recommended the use of customary law (adat) to mediate the conflict, protects the assailants and undermines due process of law.

In view of these recent developments, Yayasan HAK:

1. Demands that the government and ABRI disarm and disband these paramilitary organisations which have proven to actively conduct acts of violence and human rights violations towards civilians.

2. Demands that the government and ABRI punish these actors of violence and human rights violations, in order to uphold the law and protect human right, without discriminating between military personnel and armed civilians.

3. Calls for all factions to obey the law; and follow due process of law when seeking to redress acts of violence and human rights violations in East Timor.

4. Calls for all factions to refrain from violence which leads only to the victimization of the weak; and calls for dialog to promote safety and peace for all.

Dili, February 4 1999

Yayasan HAK

Aniceto Guterres Lopes, SH
Chairperson

Jose Luis de Oliveira
Secretary